

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA

v.

HUSSEIN HAJI

**INITIAL APPEARANCE/ARRAIGNMENT
AND PLEA MINUTES**

CASE NUMBER 23-CR-68

HONORABLE NANCY JOSEPH, presiding
Deputy Clerk: Ross Miller
Hearing Held: April 27, 2023 at 4:15pm

Court Reporter: Liberty
Hearing Began: 4:14pm
Hearing Ended: 4:33pm

Appearances:

UNITED STATES OF AMERICA by: Abbey Marzick
Hussein Haji, in person, and by: Craig Powell
U.S. PROBATION OFFICE by: Joshua Hanzlik
INTERPRETER: ☒ None ☐ Sworn

☒ CJA ☐ FDS ☐ RET

☒ Original Indictment ☐ Superseding Indictment ☐ Information ☐ Misdemeanor ☒ Felony

Speedy Trial Date: July 6, 2023
Final Pretrial Conf.: TO BE SET
Jury Trial Date: TO BE SET
Trial Length Estimate: 3 days

District Judge: Brett Ludwig
Bond Judge: Nancy Joseph
Magistrate Judge: Nancy Joseph
Motions Due: May 12, 2023
Responses Due: May 22, 2023
Replies Due: May 29, 2023

☐ Defendant consents to proceed via video
☒ Defendant advised of rights
☐ Court orders counsel appointed
☒ Defendant advised of charges, penalties, and fines
☒ Copy of indictment received by defendant
 ☒ Indictment read ☐ defendant waives reading
☒ Not guilty plea entered by: ☒ defendant ☐ the court
☒ Expanded discovery policy applies (*See Order below*)
 Discovery available: discovery ready for defense
 counsel

☒ Government to disclose grand jury materials
 one day prior to trial
☐ Oral Motion for Complex Designation
 ☐ Granted ☐ Denied
 ☐ Referred to Nancy Joseph
☐ Case designated complex
☐ Counsel Only Scheduling Conference:

before Magistrate Judge Nancy Joseph

Maximum Penalties:

Count 1 – INC: 20 years; FINE: \$250,000; SR: 5 years; SA: \$100; **Count 2** – INC: mandatory minimum 7 years-life, consecutive to any other sentence; FINE: \$250,000; SR: 5 years; SA: \$100.

BOND

Government

- This is a presumption case.
- FBI has been investigating robberies involving postal workers and mailboxes.
- This case involves an armed robbery of a postal worker.
- Defendant and co-actor brandished a weapon during robbery.
- Warrant executed at a residence found stolen key from robbery.
- Getaway car was found at residence along with stolen checks, weapons, and ammunition.
- Citizen witnesses and Ring video of robbery.

- Defendant did confess to MPD.
- Evidence in social media.
- Government seeking detention.

Defendant

- Defendant did not participate in bond study due to advice by counsel.
- Co-actor brandished weapon not Defendant.
- Some statements made by Government inaccurate.
- Defendant cooperated after arrest.
- Defendant likely to appear at future hearing after arrest.
- Defendant is only 21 years old and has learning disabilities.
- Defendant has lived in the community since he was 3-years old.
- Father and brother appear in Court today on short notice to support Defendant.
- Defendant only has ties to this community.
- Defendant and family have extremely limited resources.
- Defendant has no criminal record.
- There are conditions that can be set to allow release.
- No clear and convincing evidence Defendant is a threat to the community.
- Defendant requesting release with conditions.

Court

- Would like a bond study before deciding on Defendant's status before trial.
- ☒ Defendant is ordered temporarily detained
Detention Hearing set for Friday April 28, 2023 at 2:00pm.

IT IS HEREBY ORDERED that as required by Federal Rule of Criminal Procedure 5(f), the court **ORDERS** that the government must produce all exculpatory information to the defendant(s) as required by *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny. Failure to comply with this order in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges and contempt proceedings